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Attorney's Docket No.: 17601-003010/ 067083.0298

Solicitor
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joseph A. Zupanick
Patent No. : 6,964,298
Issue Date : November 15, 2005
Serial No. : 10/761,629
Filed : January 20, 2004
Title : METHOD AND SYSTEM FOR ACCESSING SUBTERRANEAN
DEPOSITS FROM THE SURFACE

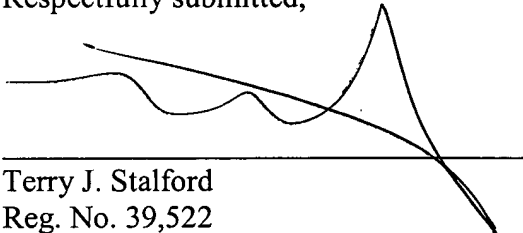
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF LITIGATION UNDER MPEP 2001.06(c)

Applicant hereby brings to the attention of the U.S. Patent and Trademark Office the existence of litigation on the above-mentioned patent. Specifically, CNX Gas Corporation and CNX Gas Company LLC vs. CDX Gas, LLC, Civil Action No. 05-1574 has been filed in the Western District of Pennsylvania. The suit concerns U.S. Patent Nos. 6,357,523; 6,561,288; 6,604,580; 6,679,322; and 6,964,298.

No fees are believed due at this time. However, please charge any fees or credit any deposits to Deposit Account No. 06-1050 referencing the attorney docket number show above.

Respectfully submitted,



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Date: Jan. 17, 2006

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